IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.47911 -M of 2006

DATE OF DECISION: NOVEMBER 23, 2006

Harbans Kaur and another

...PETITIONERS

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.S.Bhandohal, Advocate,
for the petitioners.
Mr.N.S.Gill, AAG, Punjab.
Mr.Narinder S. Lucky, Advocate,
for the complainant.

...

The petitioners, who are mother-in-law and father-in-law of the complainant, apprehending their arrest in a non-bailable offence in case FIR No. 367 dated 15.7.2006 registered under Sections 406/420/498-A IPC at Police Station Sadar Jalandhar, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 9.8.2006 passed by the Additional Sessions Judge, Jalandhar, whereby bail has been declined to the petitioners.

In this case, the marriage of the complainant was solemnized with the son of the petitioners on 11.2.2004. It has been alleged that at the time of the said marriage, an amount of Rs.15 lacs was spent by the parents of the complainant. After two months of the marriage, the husband went to U.S.A. after giving an assurance to his wife (complainant) that he will take her with him within six months. Thereafter, he did not turn up. The aforesaid FIR was lodged on 15.7.2006 by the complainant on the allegations that soon after the marriage, an amount of Rs.2 lacs was demanded and the same was given to the accused and another amount of Rs.2-1/2 lacs was given on 25.5.2004. Again an amount of Rs.4.00 lacs

was given to the accused on 10.6.2004. The said amount was given by the family of the complainant after selling their plot. Even thereafter, the husband and the petitioners gave beatings to the complainant pressurizing her to bring more dowry. Even the golden articles of the complainant were sold. When the husband went abroad, the wife was harassed by the petitioners and was given beatings by them on the ground that she did not bring Rs.15.00 lacs with her. It has been further alleged that after giving beatings and keeping all the dowry articles, the complainant has been thrown out of the matrimonial home by the petitioners and now she is living at the mercy of her parents.

In view of the aforesaid allegations against the petitioners, I am not inclined to grant anticipatory bail to the petitioners even though they have joined the investigation in terms of the interim order dated August 17, 2006.

Dismissed.

November 23, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE